

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Jessica Anderson)
)
Plaintiff,) **Case No. C-1-02-355**
)
vs.) **Judge Watson**
)
Avon Products, Inc.)
)
Defendant.)

JOINT STATUS REPORT

Pursuant to this Court's Order of October 14, 2004, the parties herein provide the following Joint Status Report.

1. Nature of the Case and Brief Description of Claims Asserted:

This case is brought by Jessica Anderson ("Plaintiff"), a former employee of Avon Products, Inc. ("Avon") after Avon terminated Plaintiff's employment in 2000. In her Complaint, Plaintiff asserts a cause of action for violation of the Family and Medical Leave Act ("FMLA") and retaliatory discharge for filing a request for leave under FMLA. Plaintiff seeks compensatory and liquidated damages, together with attorney's fees. Avon claims that it provided Plaintiff with numerous opportunities to provide information required under FMLA prior to terminating Plaintiff's employment. Judge Weber denied Defendant's motion for summary judgment on June 25, 2004.

2. Efforts to Settle, Pre- and Post- Filing of Complaint.

This matter was referred to Magistrate Judge Hogan for mediation. The parties, along with client representatives attended a half day session with Magistrate Judge Hogan on

September 28, 2004 but were unable to reach an agreement. Since the mediation, counsel have continued their negotiations and are very close to reaching a resolution.

3. Scheduled Dates:

- a. Discovery cut-off: Discovery is completed.
- b. Dispositive Motions: The Court denied Defendant's Motion for Summary Judgment.
- c. Settlement Conference: Mediation held on September 28, 2004; no other conferences currently scheduled.
- d. Final Pre-Trial: Not scheduled.
- e. Trial: November term.

Respectfully submitted,

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